

IC 33-25-2

Chapter 2. Retention of Judges

IC 33-25-2-1

Approval or rejection of appeals court judges

Sec. 1. Judges of the court of appeals shall be approved or rejected by the electorate of Indiana under Article 7, Section 11 of the Constitution of the State of Indiana.

As added by P.L.98-2004, SEC.4.

IC 33-25-2-2

Filing of statement of retention with secretary of state

Sec. 2. A judge who wishes to be retained in office shall file a statement with the secretary of state, not later than noon July 15 of the year in which the question of retention of the judge is to be placed on the general election ballot, indicating that the judge wishes to have the question of the judge's retention placed on the ballot. The judge's statement must include a statement of the judge's name as:

- (1) the judge wants the judge's name to appear on the ballot; and
- (2) the candidate's name is permitted to appear on the ballot under IC 3-5-7.

As added by P.L.98-2004, SEC.4.

IC 33-25-2-3

Expiration of term of judge who does not file for retention

Sec. 3. This section applies to a judge:

- (1) who does not file a statement under section 2 of this chapter; and
- (2) whose term expires under Article 7, Section 11 of the Constitution of the State of Indiana during the year in which the question of the retention of the judge would have been placed on the general election ballot.

The term of a judge expires December 31 of the year in which the question of the judge's retention would have been placed on the ballot.

As added by P.L.98-2004, SEC.4.

IC 33-25-2-4

Expiration of term of rejected judge

Sec. 4. This section applies to a judge:

- (1) who files a statement under section 2 of this chapter; and
- (2) whose retention is rejected by the electorate.

The term of a judge ends when the secretary of state issues a certificate under IC 3-12-5-1 stating that the judge has been removed. However, if the judge has filed a petition for a recount under IC 3-12-11, the term of the judge does not end until the state recount commission has issued a certificate under IC 3-12-11-18 stating that the electorate has rejected the retention of the judge.

As added by P.L.98-2004, SEC.4.

IC 33-25-2-5**Wording of question of retention on ballot**

Sec. 5. The question of approval or rejection of a judge shall be placed on the general election ballot in the form prescribed by IC 3-11-2 and must state "Shall Judge (insert name (as permitted under IC 3-5-7) here) be retained in office?".

As added by P.L.98-2004, SEC.4.

IC 33-25-2-6**Statement of retention; use by judge of same name on statement and voter registration record**

Sec. 6. The statement filed under section 2 of this chapter must include a statement that the judge requests the name on the judge's voter registration record be the same as the name the judge uses on the statement. If there is a difference between the name on the judge's statement and the name on the judge's voter registration record, the officer with whom the statement is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the judge's voter registration record to be the same as the name on the judge's statement.

As added by P.L.98-2004, SEC.4.